

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PAUL ZUGEHOER,

Defendant Below-
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below-
Appellee.

§

§ No. 626, 2009

§

§

§ Court Below—Superior Court

§ of the State of Delaware, in and

§ for New Castle County

§ Cr. ID No. 0611012475

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Submitted: August 13, 2010

Decided: August 19, 2010

ORDER

This 19th day of August 2010, it appears to the Court that, on July 16, 2010, the Clerk issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for the appellant's failure to diligently prosecute the appeal by not filing his opening brief and appendix. The appellant has failed to respond to the notice to show cause within the required 10-day period. Therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 3(b) and 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs

Justice